

STATE DRIVING BUSINESSES LICENSURE BOARD
Bureau of Occupational Licenses
700 West State Street, P.O. Box 83720
Boise, ID 83720-0063

Board Meeting Minutes of 4/26/2019

BOARD MEMBERS PRESENT: Theresa A Bradford - Chair
Faith Todd
C Randal Willie
Jared Hugh Haustveit

BOARD MEMBERS ABSENT: Robert M Fenn

BUREAU STAFF: Kelley Packer, Bureau Chief
Julie Eavenson, Administrative Support Manager
Nicholas Crema, General Counsel
Rob McQuade, Legal Counsel
Cesley Metcalfe, Technical Records Specialist II

OTHERS PRESENT: Senator David Nelson, District 5 (by phone)
Cynthia Gibson, Idaho Walk Bike Alliance

The meeting was called to order at 9:03 AM MDT by Theresa A Bradford.

APPROVAL OF MINUTES

Ms. Todd made a motion to approve the minutes of January 25, 2019 and March 4, 2019. It was seconded by Mr. Haustveit. Motion carried.

LEGISLATIVE REPORT

Ms. Packer presented a legislative update. She explained the changes that will be made to the Board's applications and website for applicants who are active duty military, veterans, and their spouses as a result of H248 being signed into law. She updated the Board on the status of its administrative rules and the procedure by which those will remain in effect after June 30.

Mr. McQuade updated the Board on the Red Tape Reduction Act and the Bureau's process to review each Board's rules over the next two years.

Mr. McQuade presented the Board with a draft copy of proposed statute changes. The Board had a lengthy discussion regarding the number of training hours for the instructor apprenticeship training program. Ms. Packer reviewed the driving instructor training requirements for the Idaho public driving instructors and the driving instructor

training requirements in nearby states. Ms. Gibson addressed the Board and shared teenage driver data.

Mr. Willie made a motion to approve the proposed statute changes as discussed. It was seconded by Mr. Haustveit. Senator Nelson offered his assistance in sponsoring the bill during the next legislative session.

EXECUTIVE SESSION

Ms. Todd made a motion that the Board go into executive session under Idaho Code § 74-206(1)(d) to consider records that are exempt from disclosure under the Idaho Public Records Law. The purpose of the executive session was to consider license application materials. It was seconded by Mr. Willie. The vote was: Ms. Bradford, aye; Mr. Haustveit, aye; Mr. Willie, aye; and Ms. Todd, aye. Motion carried.

Mr. Haustveit made a motion to come out of executive session. It was seconded by Mr. Willie. The vote was: Ms. Bradford, aye; Mr. Haustveit, aye; Mr. Willie, aye; and Ms. Todd, aye. Motion carried.

The Board reviewed application number 901166519 regarding licensure by endorsement. The Board requested the application continue through the regular process.

Mr. Haustveit left the meeting.

FINANCIAL REPORT

Ms. Eavenson gave the financial report, which indicated that the Board had a cash balance of \$81,631.63 as of March 31, 2019.

BOARD APPOINTMENTS

Ms. Eavenson covered the Board member appointment process and the need to submit a new application if a person is seeking reappointment.

TRAVEL POLICY REVIEW

Ms. Eavenson reviewed the state travel policy with the Board.

REQUESTS FOR RECONSIDERATION OF BOARD DECISIONS

Mr. Krema reviewed the process of appeals and the 21-day time period in which a respondent can request reconsideration of a Board decision. Ms. Todd made a motion to authorize the Board Chair to determine whether a meeting should be convened regarding a decision on an appeal or to let the appeal be denied by operation of law. It was seconded by Mr. Willie. Motion carried.

OLD BUSINESS

The Board reviewed the To Do List.

Ms. Packer stated that she and Mr. McQuade met with Dave Tolman from the Idaho Transportation Department (ITD) regarding its method for tracking driving permits that are issued to students of public driving programs versus students of private driving schools. Mr. Tolman explained that because the ITD system does not have a reliable method for tracking this information. All funds received for driving permits are remitted to the State Department of Education (SDE), which then determines the amount due to the Board. Ms. Packer stated that the Bureau will request documentation from SDE when it annually transmits the fees due to the Board. Ms. Packer further stated that during the Bureau's legislative audit, she requested that this information be included in the Bureau's audit and SDE's audit.

The Board reviewed drafts of information to add to the frequently asked questions page and the continuing education page to the Board's website. Mr. Willie made a motion directing Bureau staff to update the website pages as discussed. It was seconded by Ms. Todd. Motion carried.

NEW BUSINESS

INSURANCE DOCUMENTATION

The Board discussed proof of insurance that is acceptable to the Board. Ms. Todd made a motion to accept a Certificate of Commercial Insurance or the policy Declarations Page as proof of insurance. It was seconded by Mr. Willie. Motion carried.

Ms. Todd made a motion directing Bureau staff to request proof of insurance when a driving business adds a new vehicle to its list of in-use vehicles. It was seconded by Mr. Willie. Motion carried.

CORRESPONDENCE

The Board reviewed correspondence from Jim Cavataio regarding registration requirements for in-use vehicles. The Board directed the Bureau to respond that there is nothing in the Board's rules or statutes that addresses vehicle registration; that Mr. Cavataio will need to comply with the requirements of other jurisdictions; and that he may wish to contact the Idaho Transportation Department for its vehicle registration requirements.

The Board reviewed correspondence from the American Driver and Traffic Safety Education Association (ADTSEA) regarding the Driver Education and Training State Administrator Symposium in July. Mr. Willie made a motion directing Ms. Packer to

review the information and determine if it is appropriate for her to attend or to designate a Board member to attend the symposium. It was seconded by Ms. Todd. Motion carried.

NEXT MEETING was scheduled for September 9, 2019 at 9:00 AM MDT.

ADJOURNMENT

Mr. Willie made a motion to adjourn the meeting at 12:17 PM MDT. It was seconded by Ms. Todd. Motion carried.

Theresa A Bradford, Chair

Robert M Fenn

Faith Todd

C Randal Willie

Jared Hugh Haustveit

Kelley Packer, Bureau Chief